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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/077,384	02/15/2002	John B. Rosen	RPD 3B5	3970

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EXAMINER	
XIAO, KE	

ART UNIT	PAPER NUMBER
2675	

DATE MAILED: 01/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/077,384	ROSEN ET AL.	
	Examiner	Art Unit	
	Ke Xiao	2675	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 March 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

Claim 11 is objected to because of the following informalities:

Claim 11, line 6 recites the limitation "a display mounted" which is inconsistent with the limitation "the single display" on line 7. The examiner suggests the limitation be changed to -- a single display mounted --.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-2, 5-6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamura (US 5,013,135) in view of Bordo (US 5,237,455).

Regarding **Claim 1**, Yamamura teaches a vehicle having a forward console (Yamamura, Col. 1 lines 5-10), a display system (Yamamura, Fig. 1) comprising:

a display mounted on the forward console of the vehicle, the display including a generally horizontal display surface configured to present an image (Yamamura, Fig. 1 element 6); and

a single reflective element including a reflective surface configured to reflect the presented image for viewing the vehicle occupant (Yamamura, Fig. 1 element 6).

Yamamura fails to teach that the reflecting element has an opaque reflective surface. Bordo teaches a reflective element coating with a thin film of aluminum or color selection, which is characterized as opaque coatings (Bordo, Col. 3 lines 14-22). It would have been obvious to make the general reflective element of Yamamura with the opaque reflective element of Bordo in order to provide a brighter, clearer image for the occupant (Bordo Col. 3 lines 1-5).

Regarding **Claim 5**, Yamamura teaches a display system comprising:

a base including a display with an upwardly-facing display surface (Yamamura, Fig. 1 element 3); and

a single mirror including a reflective surface (Fig. 1 element 3 and 6), the mirror being pivotally mounted to the base for pivot between a stowed orientation wherein the reflective surface is generally parallel with the display surface, and a deployed orientation wherein the reflective surface extends upwardly from the display surface at an angle relative to the display surface to reflect the presented image for viewing of the presented image on the reflective surface (Fig. 1 element 3 and 6).

Yamamura fails to teach that the reflecting element has an opaque reflective surface. Bordo teaches a reflective element coating with a thin film of aluminum or color selection, which is characterized as opaque coatings (Bordo, Col. 3 lines 14-22). It would have been obvious to make the general reflective element of Yamamura with the

opaque reflective element of Bordo in order to provide a brighter, clearer image for the occupant (Bordo Col. 3 lines 1-5).

Regarding **Claim 2**, Yamamura teaches that it is well known in the art of the forward console including a steering mechanism that the display is mounted forward of the steering mechanism (Yamamura, Fig. 9).

Regarding **Claim 6**, Yamamura fails to teach that the mirror is a concave mirror however Bordo teaches a concave mirror used in the same art (Bordo, Col. 2 lines 45-68). It would have been obvious to make the mirror of Yamamura concave as taught by Bordo in order to properly appropriately magnify the projected image.

Regarding **Claim 8**, Yamamura clearly teaches a flat plan mirror (Yamamura, Figs. 1 and 3).

Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamura (US 5,013,135) in view of Bordo (US 5,237,455) as applied to Claims 1-2, 5-6 and 8 above, and further in view of Iino (US 5,070,323).

Regarding **Claims 3 and 4**, Yamamura in view of Bordo fail to teach the display mounted on the steering column forward of the steering wheel. Iino teaches the display (Iino, Figs. 2 and 3 elements 71 and 75). It would have been obvious to have used the steering column for mounting the display as taught by Iino to the display system of Yamamura as modified by Bordo so that the display can be accommodated in the space by the column (Iino, Col. 1 lines 23-26).

Claims 7, 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamura (US 5,013,135) in view of Bordo (US 5,237,455) as applied to Claims 1-2, 5-6 and 8 above, and further in view of Chen (US 5,436,763).

Regarding **Claim 7**, Yamamura in view of Bordo fail to teach a convex mirror. In the same field of endeavor, Chen teaches a reflective optical element (Chen, Fig. 1 element 24) being either concave or convex which depends upon the application (Chen, Fig. 1 Col. 4 lines 32-35). It would have been obvious to use a convex mirror of Chen instead of the mirror of Yamamura as modified by Bordo so as to provide magnification (Chen, Col. 4 lines 32-35).

Regarding **Claims 9 and 10**, Chen teaches the reflective optical element (Chen, Fig. 1 element 24) can be either concave or convex depending on the application. The examiner takes official notice that flat-to concave mirrors and flat-to convex mirrors are well known in the art. It would have been obvious to use a flat-to concave mirror or flat-to convex mirror instead of the mirror of Yamamura as modified by Bordo so as to provide magnification or focus (Chen, Col. 4 lines 32-35).

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamura (US 5,013,135) in view of Iino (US 5,070,323).

Regarding **Claim 11**, Yamamura teaches a vehicle (Yamamura, Col.1 lines 5-10) comprising:

a front console including a vehicle steering mechanism supported on a steering column, which defines a first axis (Yamamura, Fig. 1 vehicles that have steering mechanism inherently have steering columns);

an operator position behind the steering mechanism in the vehicle along the first axis (Yamamura, Fig. 9 element E); and

a display system including a single display (Yamamura, Fig. 1), the single display including a display surface facing other than rearward of the vehicle and configured to present a focused image thereon and a reflecting element mounted at the front console and including an reflective surface configured to reflect the focused image for viewing from the operator position (Yamamura, Fig. 1 element 6).

Yamamura fails to teach that the reflecting element has an opaque reflective surface. Iino teaches the reflecting member made of a transparent plastic having the reverse side thereof applied with black coating or made of a black plastic plate (Iino, Col. 2 lines 60-64). This reads on the limitation "an opaque reflective surface". It would have been obvious to modify the reflective surface as taught by Yamamura to be an opaque reflective surface as taught by Iino in order to provide a clearer image at the operator position.

Yamamura fails to teach that the display is mounted on the steering column along the first axis. Iino teaches the display being mounted on a steering column forward of the steering wheel which reads on along the first axis (Iino, Col. 3 lines 15-60). It would have been obvious to have used the steering column for mounting the

display as taught by Iino to the display system of Yamamura so that the display can be accommodated in the space by the column (Iino, Col. 1 lines 23-26).

Response to Arguments

Applicant's arguments filed 25 March 2005 have been fully considered but they are not persuasive.

The applicant argues that neither the main nor the secondary references teach a single reflecting element with an opaque reflecting surface. The examiner agrees with the assertion that no single references teaches a single reflecting element with an opaque reflecting surface, however the main references Yamamura teaches a single reflecting element and has a reflective surface which is not specifically opaque. Secondary references Bordo and Iino both teach opaque reflective surfaces. Therefore the combination of the two references teaches the claimed limitations.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ke Xiao whose telephone number is (571)272-7776. The examiner can normally be reached on Monday through Friday from 8:30AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sumati Lefkowitz can be reached on (571) 272-3638. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

January 19th, 2006 - kx -

SUMATI LEFKOWITZ
SUPERVISORY PATENT EXAMINER